



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/503,362	02/14/2000	Pekka J. Heinonen	4925-34	6491

7590 09/04/2003

Michael C Stuart Esq
Cohen Pontani Lieberman & Pavane
551 Fifth Avenue Suite 1210
New York, NY 10176

EXAMINER

SENF, BEHROOZ M

ART UNIT	PAPER NUMBER
----------	--------------

2613

DATE MAILED: 09/04/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/503,362

Applicant(s)

HEINONEN, PEKKA J.

Examiner

Behrooz Senfi

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 . 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

A person shall be entitled to a patent unless-

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claim 1 – 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Gershman et al. (US 6,401,085).

Regarding claims 1, and 8, Gershman '085 discloses system for "processing of data to and from mobile terminal" (i.e. fig. 17) comprising; "a data bus for receiving and transmitting data to a wireless communication network" (i.e. fig. 1, data-bus 112) for receiving and transmitting data, and "an output device for presenting at least one of audio, video and texture information to a user" (i.e. fig. 17, and prior art fig. 1a, show presenting audio, video and texture as claimed to a user), and "an interface module connected to the data bus of the mobile terminal" (i.e. fig. 1, interface 122, col. 4, lines 58 – 61), and "a protocol stack for processing data to and from the data bus of the mobile terminal" (i.e. abstract, lines 2 – 4, col. 9, lines 36 - 49), and "the user agent for

decoding data to and from the protocol stack”, and “a signal generator for converting the interpreted data from the user agent into signals formatted for processing by the output device so that the output device presents at least one of audio, video, and textual information to the user” reads on (i.e. fig. 27b, col. 67, 17+).

Regarding claim 2, the claimed limitation “a user input device, manipulable by the user, for inputting data to the user agent for transmission through the mobile terminal” reads on (figs. 1, and 25, 122, and 2542, col. 3, lines 18 – 20).

Regarding claims 3 and 11, the claimed limitation “protocol stack includes the Wireless Application Protocol” reads on (col. 2, lines 9 – 11).

Regarding claims 4 and 12, the claimed limitation “protocol stack includes the Short Message Transport Protocol” reads on (col. 58, lines 48 – 49). —

Regarding claims 5 and 13, the claimed limitation “the user agent is a web browser” reads on (fig. 10a).

Regarding claim 6, the claimed limitation “browser is configured to interpret data in accordance with one of the wireless Application Protocol and the Short Message Transport Protocol” are substantially similar in scope as recited in claims 3 and 4, therefore the grounds for rejecting claims 3 – 4, also apply here.

Regarding claim 7, the claimed limitation “the output device is a monitor” reads on (fig. 1, monitor 138).

Regarding claim 9, the claimed limitation “the output device presents the converted on a monitor display screen” reads on (fig. 17).

Art Unit: 2613

Regarding claim 10, the claimed limitation "receiving user input data by the user agent for transmission by the mobile terminal" reads on (fig. 17, abstract).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

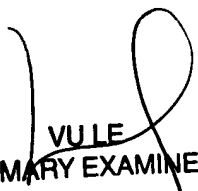
(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. R. S.

08/25/2003


V. U. L. E.
PRIMARY EXAMINER